

The extract of vanilla was alleged to be adulterated in that an imitation vanilla extract containing vanillin, coumarin, and caramel color had been substituted wholly or in part for extract of vanilla. It was alleged to be misbranded: (1) in that the statement "Extract Vanilla" was false and misleading; (2) in that it was offered for sale under the name of another food; (3) in that it was an imitation of another food and its label failed to bear in type of uniform size and prominence the word "imitation" and, immediately thereafter, the name of the food imitated; (4) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient; and (5) in that it contained artificial coloring and did not bear labeling stating that fact.

On July 24, 1941, no claimant having appeared, judgment of forfeiture was entered and the products were ordered destroyed.

2542. Adulteration and misbranding of vanilla extract. U. S. v. 9 Cases, 10 Cases, and 103 Bottles of Vanilla. Default decrees of condemnation. Portion of product ordered delivered to local charitable agencies; remainder ordered destroyed. (F. D. C. Nos. 4762, 4763, 4767. Sample Nos. 44669-E, 44670-E, 57649-E.)

This product contained extractive matter from sources other than the vanilla bean.

On May 13 and 16, 1941, the United States attorneys for the Eastern District of Missouri and the District of Colorado filed libels against 10 cases each containing 24 8-ounce bottles of vanilla at St. Louis, Mo., and 9 cases, each containing 24 8-ounce bottles, of vanilla at Denver, and 103 8-ounce bottles of vanilla at Aurora, Colo., alleging that the article had been shipped in interstate commerce on or about February 7, 17, and 25, 1941, by the La Salle Manufacturing Co. from Chicago, Ill.; and charging that it was adulterated and misbranded. It was labeled in part: "Cook's Pride Brand Pure Vanilla Extract."

The article was alleged to be adulterated in that a substance containing vanillin and extractive matter from sources other than vanilla beans, and simulating vanilla extract, had been substituted wholly or in part for pure vanilla extract, which it purported to be.

It was alleged to be misbranded in that the statement "Pure Vanilla Extract" was false and misleading as applied to a substance containing vanillin and extractive matter from sources other than vanilla beans. It was alleged to be misbranded further in that it was offered for sale under the name of another food, and in that it was an imitation of another food and its label failed to bear in type of uniform size and prominence the word "imitation" and, immediately thereafter, the name of the food imitated.

On May 28, 1941, no claimant having appeared for the portion of the product seized at Denver and Aurora, judgment of condemnation was entered and the product was ordered delivered to local charitable agencies. On June 30, 1941, no claimant having appeared for the seizure at St. Louis, judgment of condemnation was entered and the product was ordered destroyed.

2543. Adulteration and misbranding of vanilla extract. U. S. v. 19 Cases of Vanilla Extract. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 3957. Sample No. 40309-E.)

Analysis indicated that this product contained resinous substances that were derived from sources other than the vanilla bean.

On March 12, 1941, the United States attorney for the District of New Jersey filed a libel against 19 cases of extract of vanilla at Trenton, N. J., alleging that the article had been shipped in interstate commerce on or about January 17, 1941, by Francis H. Leggett & Co. from Brooklyn, N. Y.; and charging that it was adulterated and misbranded. The article was labeled in part: "Pure Extract Vanilla Plantation Extract Corp. New York, N. Y."

The article was alleged to be adulterated (1) in that an imitation vanilla extract containing resinous substances not found in genuine vanilla extract had been substituted wholly or in part for pure vanilla extract; (2) in that inferiority had been concealed through the addition of foreign resins; and (3) in that foreign resins had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded (1) in that the statement "Pure Extract Vanilla" was false and misleading as applied to an imitation vanilla extract containing resinous substances not found in genuine vanilla extract; (2) in that it was offered for sale under the name of another food; and (3) in

that it was an imitation of another food and its label did not bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

On September 25, 1941, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable institution and that the labels be removed or destroyed.

SPICES

2544. Adulteration of onion powder. U. S. v. 12 Cans and 6 Cartons of Onion Powder. Default decrees of condemnation and destruction. (F. D. C. Nos. 4892, 5136. Sample Nos. 56920-E, 69489-E.)

Samples of this product were found to contain metal and insect fragments, and sand.

On June 9 and July 12, 1941, the United States attorney for the District of New Jersey filed libels against 12 cans, and 6 cartons each containing 2 cans, of onion powder at Jersey City, N. J., alleging that the former lot had been shipped from Chicago, Ill., by Sokol & Co. on or about April 16, 1941, and that the latter lot had been shipped on order of Sokol & Co. of Chicago, Ill., from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: (Cans) "Cal Veg Pure Onion Powder Yellow Net Weight 25 Lbs."; (cartons) "Cal Veg Onion Powder Yellow"; and (cartons and cans) "Manufactured by The Burbank Corporation Burbank, California."

On September 5, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

2545. Adulteration of onion powder. U. S. v. 10 Cans of Onion Powder (and 3 other seizures of onion powder). Default decrees of condemnation and destruction. (F. D. C. Nos. 4932, 5114, 5137, 6231. Sample Nos. 56921-E, 69490-E, 69833-E, 74822-E.)

Samples of this product were found to contain metal and insect fragments, sand, and dirt.

On July 11, 15, and 17, and November 17, 1941, the United States attorneys for the District of New Jersey and the Southern District of New York filed libels against 12 cans and 6 cases each containing 2 cans of onion powder at Jersey City, N. J., and 10 cans and 19 cartons each containing 2 cans of onion powder at New York, N. Y., alleging that the article had been shipped in interstate commerce by the Burbank Corporation from Los Angeles, Calif., within the period from on or about October 2, 1940, to on or about October 4, 1941; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Cal Veg Onion Powder Yellow [or "White"]"; (cans) "Net Weight 25 Lbs."; and (cases and cartons) "Net Weight 50 Lbs."

On August 19 and September 4 and 10, 1941, and January 8, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

2546. Adulteration and misbranding of sweet paprika and white pepper. U. S. v. 33 Cans of Sweet Paprika and 53 Cans of White Pepper. Default decree of condemnation and destruction. (F. D. C. No. 5153. Sample Nos. 69659-E, 69660-E.)

The sweet paprika contained added starch and artificial color and its label failed to bear a statement of the quantity of the contents. The white pepper contained added starch.

On July 15, 1941, the United States attorney for the District of New Jersey filed a libel against 33 cans of sweet paprika and 53 cans of white pepper at Newark, N. J., alleging that the articles had been shipped in interstate commerce on or about March 10, 1941, by Sure Rise Baking Powder Co. from New York, N. Y.; and charging that they were adulterated and that the paprika was also misbranded. The articles were labeled in part: "Crown Brand * * * Imported Sweet Paprika"; or "Crown Brand * * * White Pepper Spice Products Co., New York."

The paprika was alleged to be adulterated (1) in that a substance, paprika containing added starch and artificial color, had been substituted wholly or in part for paprika, which it purported to be; (2) in that inferiority had been concealed by the addition of artificial color; and (3) in that starch and artificial color had been added thereto or mixed or packed therewith so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of